



2642

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.

| | |
|------------------------|----------------|
| Application Number | 09/893,260 |
| Filing Date | JUNE 27, 2001 |
| First Named Inventor | LARRY ESHELMAN |
| Group Art Unit | 2642 |
| Examiner Name | QUYNH NGUYEN |
| Attorney Docket Number | US010294 |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the supplemental amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____, (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☒ Preliminary Amendment (Will follow under separate cover)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____ (may not be a brief)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))
- b. ☐ Other _____

3. **Fees**

- a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-------------------|-----------------------------------|----------------|
| Name (Print Type) | Gregory L. Thorne | Registration No. (Attorney/Agent) | 39,398 |
| Signature | | Date | April 18, 2005 |

08/15/2005 GARMITH 00000001 141270 09893260

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CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313, or facsimile transmitted to the U.S. Patent and Trademark Office tel# : _____ on the date below:

| | | | |
|-------------------|-------------|------|---------|
| Name (Print Type) | NOEMI CHAPA | | |
| Signature | | Date | 4/18/05 |

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